

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i>  <hr style="width: 10%; margin-left: 0;"/>  TELEPHONE NO: _____ FAX NO. <i>(Optional)</i> : _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	<b>FOR COURT USE ONLY</b>
NAME OF COURT: _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
SHORT TITLE: _____	
CROSS-COMPLAINANT:    CROSS-DEFENDANT:    <input type="checkbox"/> DOES 1 TO _____	
<b>CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> <b>AMENDED (Number):</b> _____ <b>Causes of Action (check all that apply):</b> <input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other <i>(specify)</i> : _____	
<b>Jurisdiction (check all that apply):</b> <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (\$25,000 or less) <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) It <input type="checkbox"/> is <input type="checkbox"/> is not reclassified as unlimited by this cross-complaint	CASE NUMBER: _____

1. CROSS-COMPLAINANT *(name)*:

alleges causes of action against CROSS-DEFENDANT *(name)*:

2. This pleading, including exhibits and attachments, consists of the following number of pages: \_\_\_\_\_

3. Each cross-complainant named above is a competent adult

a. ☐ **except** cross-complainant *(name)*:

- (1) ☐ a corporation qualified to do business in California
- (2) ☐ an unincorporated entity *(describe)*:
- (3) ☐ a public entity *(describe)*:
- (4) ☐ a minor    ☐ an adult
  - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
  - (b) ☐ other *(specify)*:
- (5) ☐ other *(specify)*:

☐ Information about additional cross-complainants who are not competent adults is contained in Cross-Complaint—Attachment 3.

SHORT TITLE:  	CASE NUMBER:  
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## 4. Each cross-defendant named above is a natural person

a. ☐ **except** cross-defendant (*name*):

- (1) ☐ a business organization, form unknown  
 (2) ☐ a corporation  
 (3) ☐ an unincorporated entity (*describe*):  
  
 (4) ☐ a public entity (*describe*):  
  
 (5) ☐ other (*specify*):

b. ☐ **except** cross-defendant (*name*):

- (1) ☐ a business organization, form unknown  
 (2) ☐ a corporation  
 (3) ☐ an unincorporated entity (*describe*):  
  
 (4) ☐ a public entity (*describe*):  
  
 (5) ☐ other (*specify*):

☐ Information about additional cross-defendants who are not natural persons is contained in Cross-Complaint—Attachment 4.

## 5. The true names and capacities of cross-defendants sued as Does are unknown to cross-complainant.

6. ☐ Cross-complainant is required to comply with a claims statute, **and**

- a. ☐ has complied with applicable claims statutes, **or**  
 b. ☐ is excused from complying because (*specify*):

7. ☐ \_\_\_\_\_ **Cause of Action—Indemnification**  
(NUMBER)

- a. Cross-defendants were the agents, employees, co-venturers, partners, or in some manner agents or principals, or both, for each other and were acting within the course and scope of their agency or employment.  
 b. The principal action alleges, among other things, conduct entitling plaintiff to compensatory damages against me. I contend that I am not liable for events and occurrences described in plaintiff's complaint.  
 c. If I am found in some manner responsible to plaintiff or to anyone else as a result of the incidents and occurrences described in plaintiff's complaint, my liability would be based solely upon a derivative form of liability not resulting from my conduct, but only from an obligation imposed upon me by law; therefore, I would be entitled to complete indemnity from each cross-defendant.

8. ☐ \_\_\_\_\_ **Cause of Action—Apportionment of Fault**  
(NUMBER)

- a. Each cross-defendant was responsible, in whole or in part, for the injuries, if any, suffered by plaintiff.  
 b. If I am judged liable to plaintiff, each cross-defendant should be required: (1) to pay a share of plaintiff's judgment which is in proportion to the comparative negligence of that cross-defendant in causing plaintiff's damages; and (2) to reimburse me for any payments I make to plaintiff in excess of my proportional share of all cross-defendants' negligence.

SHORT TITLE:  	CASE NUMBER:  
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9. ☐ \_\_\_\_\_ **Cause of Action—Declaratory Relief**  
(NUMBER)

An actual controversy exists between the parties concerning their respective rights and duties because cross-complainant contends and cross-defendant disputes ☐ as specified in Cross-Complaint—Attachment 9  
☐ as follows:

10. ☐ \_\_\_\_\_ **Cause of Action—(specify):**  
(NUMBER)

11. ☐ The following additional causes of action are attached and the statements below apply to each (*in each of the attachments, "plaintiff" means "cross-complainant" and "defendant" means "cross-defendant"*):
- a. ☐ Motor Vehicle
  - b. ☐ General Negligence
  - c. ☐ Intentional Tort
  - d. ☐ Products Liability
  - e. ☐ Premises Liability
  - f. ☐ Other (*specify*):

12. **CROSS-COMPLAINANT PRAYS** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a. ☐ total and complete indemnity for any judgments rendered against me.
  - b. ☐ judgment in a proportionate share from each cross-defendant.
  - c. ☐ a judicial determination that cross-defendants were the legal cause of any injuries and damages sustained by plaintiff and that cross-defendants indemnify me, either completely or partially, for any sums of money which may be recovered against me by plaintiff.
  - d. ☐ compensatory damages
    - (1) ☐ (unlimited civil cases) according to proof.
    - (2) ☐ (limited civil cases) in the amount of: \$
  - e. ☐ other (*specify*):

13. ☐ The paragraphs of this cross-complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF CROSS-COMPLAINANT OR ATTORNEY)